App. F. IX-4

Previous References.

19 49-50 (CB).

File No. 265-49

Serial Nos. 1, 2

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for Jan 50.

SUBJECT

Proceeding fixed fee quarters to the Chief Justice in Bangalore and making suitable arrangements for his stay at Mysore.

No. 01884/CB

28. 1. 50

To

The Registrar.
High Court of Mysore
Bangalore

for 7/1

Providing rent-free residence to the Chief Justice in Bangalore.

[App. F .III-2

General and Revenue Secretariat | File No. of 19 · 2564/C.B

Serial No.

D.O. letter no. R.O.C. 521/49-50 dated 9.12.49 from the Registrar, High Court of Mysore, Bangalore requesting to provide a furnished rent-free residence to the Chief Justice in Bangalore and to make suitable arrangements for his stay in Mysore.

1—Chief Secy's Note on P.U.D:

"Ack and pay bill so far as his stay at Mysore is concerned he would stay at the Govt House. The other question will be examined."

Sd) K.S.
9/12/49.

2 Submitted with a draft letter to the Registrar, H.C. for approval.

Klr
13/12/49.

3 Issue.
OSMR
14/12/49

Sd/ 14.12.49. Issued letter no. 6226/C.B. dated 15.12.49 to the Registrar, H.C. Bangalore.

Submitted

4 It is ascertained from the Education Branch that the residential Bungalow "West Lake" in Mysore has been taken over by the university for Dr. C.R. Reddy's residence.

5 Regarding the order request of the Registrar, H.C. to provide a furnished rent-free residence to the Chief Justice in Bangalore, it is submitted that no other officer except the Ministers has been provided

Note.—Contn. Sheet.

providing rent-free residence to the Chief Justice of Bangalore and making suitable arrangements for his stay at Mysore

File No. of 19

General and Revenue Secretariat

2564 c.B

Serial No.

with rent-free residence and even the previous predecessors of the present Chief Justice were not provided with rent-free residence. This seems to be a new amenity asked for now.

6 under the circumstances the request of the Registrar to provide rent-free residence to the Chief Justice is for orders.

Hby
16/12/49. 7) The High Court has taken exception to what it describes as an abrogation of the amenity enjoyed by the Chief Justice in the shape of an official residence in Mysore. This branch is not aware of the circumstances which led to the re-transfer of "West Lake" to the University. As it has already been ordered that the Chief Justice will be accommodated at Govt. House whenever he goes to Mysore perhaps no further action is necessary on this point. It remains to be clarified whether accommodation to be provided for the Chief Justice at Govt. House will be free of rent and what the arrangement for catering would be. Govt. House is a Guest house, and normally no paying Guests are accommodated there. On the other

General and Revenue Secretariat | providing rent-free residence to the Chief Justice
File No. of 19

Serial No.

last, arrangements exist at Staff Quarters another Guest House in Mysore under the Control of the Private Secretary to His Highness for entertaining paying guests, and usually European Officers of the State and others specially permitted are put up at Staff Quarters. When there are no guests, Govt. House is usually out of Commission.

8) Papers relating to the arrangement under which "West Lake" was placed at the disposal of the Chief Justice for his residence in Mysore are not easily traceable.

(*Ascertained from O.B. that the papers have been destroyed.)

9) As regards a rent-free furnished residence for the Chief Justice at Bangalore, it may be stated that such an amenity is not specifically contemplated in the new Constitution and it is not known whether it is provided in the Provinces or at the Centre, and if provided what the Conditions are.

10) The provisions of the new Constitution re: Salaries etc. of Judges of the High Court in the States are extracted in the Copy* put up herewith.

× A

11) Information may perhaps be obtained from Madras & Bombay if any rent free quarters are provided to the Chief Justice and on what

Not necy.
21.12.49

Note.—Contn. Sheet.
22/12

providing rent free - residence to the Chief Justice.

File No. 2564/CB of 1949-

General and Revenue Secretariat

Serial No.

condition.

Chief Secy) dsmk 21/12/49

12) Orders were passed on on an C.B. file, after a Resolution in Council about the Bungalows occupied by Ministers, at Mysore, & along with that, this question was also taken up and decided.

13) The Govt. is not bound to that grant free Quarters either at Bangalore or at Mysore, for the C.J.. Either according to rule he must reside at Mysore, & accept the provision in the Indian Constitution. It is only with regard to Ministers, and certain special appointments under Special terms as in the case of the Ry. Services, or of the Vice-Chancellor, that a house is provided for. If Govt thinks fit. There is hence no case for providing a house for the Chief Justice at Bangalore free of charge.

14) As regards the need for a habitation when the C.J. goes to Mysore, he can stay in the

CHIEF SECRETARIAT 5915 GOVT. OF MYSORE

Serial No.

Govt. Guest Houses, and the Staff Quarters, when he goes there, just as the Ministers are required to do.

(5) Boarding charges will have to be paid by the C.J. as well as the Ministers, when they do so, as they used to make their own arrangements for boarding till now, and only lodging was provided for.

Chief Secy
Hon Law Secy
W/s

16) 23/12/49

17 Rem. 18/1/50

18 19/1

Submitted.
19 Draft letter for the Registrar, H.C. is put up for approval.

21/1/50. 20) It is for consideration whether a D.S.N. has to be put up before sending a reply to the High Court negativing their recommendation.

Chief Secy) 21
21.1.50. 22 Hon Secy. 23 Done accordingly. 21.1.50
24 These questions are bound to be put up in a similar manner

Office of the Chief Minister
No. 5990
Date of Receipt 29/12/49

GENERAL & REVENUE SECRETARIAT
U. O. NO. FL. 6468
23 DEC 1949
FINANCIAL ASSISTANT

GENERAL & REVENUE SECRETARIAT
27 DEC 1949
CONFIDENTIAL BRANCH.

5841/19/1

CHIEF SECRETARY
7152
23 JAN 1950
GOVT. OF MYSORE

providing rent free residence to the

File No. Chief Justice 256/50 2506 of 19

General and Revenue Secretariat

Serial No.

take on, accep. to art. 221. of the Constitution

28/1

25 Submitted for approval of the draft letter already put up. 23/1/50

23/1/50.

24/1/50

23.1.50. issued letter no. 9564/C-B dated 28.1.1950 to the Registrar, H.C. Bangalore, stating that the proposal for a rent free residence to the Chief Justice at Bangalore cannot be accepted.

B

Secret 2564
65

"CONFIDENTIAL"

R. O. C. No. 521/49-50
Dis.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore 8th December ***1949***.

FROM

SRI J. RUDRAPPA, M.A., LL.B.,
Registrar, High Court of Mysore.

43

To

Sri K. Srinivasan, B.Sc.,
Chief Secretary to the Government of Mysore,
B A N G A L O R E.

SIR,

Adverting to correspondence ending with D.O.No. G4/1949-50, dated 28-10-1949, from the Registrar, University of Mysore, Mysore, regarding the residential Bungalow "West Lake" which was till recently at the disposal of the Chief Justice for his residence at Mysore, I am directed to draw the kind attention of the Government to the fact that an amenity which had been enjoyed by the Chief Justice ere this has now been taken away from him. It may be pointed out in this connection that the consensus of opinion, as can be amply gathered from the discussions in the Constituent Assembly of India, is that the salary or other emoluments of a High Court Judge should not be altered to his detriment and that the Chief Justice (as also all High Court Judges) should be provided with rent-free quarters. The somewhat abrupt abrogation of an amenity so far enjoyed by the Chief Justice in such a context, appears not only to be out of tune with the spirit of the times but looks derogatory to the dignity of that Office.

The fact that "West Lake" bungalow was being used by the Chief Justice for barely a fortnight in the year and the cost incurred in respect thereof was out of all proportion to the amenity actually availed of by the Chief Justice may perhaps have been considered sufficient justification for the action taken in the matter by the Government. This, it is submitted, will not be sufficient to justify the complete abrogation of the amenity hitherto enjoyed by the Chief Justice for the reasons already pointed out, more particularly when it is remembered that rent-free residences are provided to the Ministers and some other State Officers in Bangalore. It may also

be

be mentioned that it will be in the fitness of things that the Chief Justice is provided with a furnished rent-free residence in Bangalore in keeping with the dignity of that high office. I may add that the Chief Justice (unlike the Puisne Judges) has to perform considerable portion of office work and in addition grant interviews to officers, members of the Bar and sometimes to the public at his residence in the mornings or in the evenings.

I am therefore to request that the Government may be pleased to provide early a furnished rent-free residence to the Chief Justice in Bangalore and make suitable arrangements for his stay in Mysore whenever duty demands his presence there.

Yours faithfully,

J. Rudrappa
REGISTRAR.

9.12.69

6226/CB

15th Decemr. 9

The Registrar,
High Court of Mysore,
BANGALORE.

Sir,

Subject:- Providing rent-free residence to the Chief Justice in Bangalore and making suitable arrangements for his stay in Mysore.

I am directed to acknowledge the receipt of your Confidential D.O. letter No.R.O.C.521/49-50 dated 8th/9th December 1949 on the above subject and to say that so far as the Chief Justice's stay in Mysore is concerned he could stay at Government House and that the other question of providing a rent-free residence to him at Bangalore will be examined

Yours faithfully,

for Chief Secretary to Government.

Appendix F. G.—1]

SUBJECT..... providing ... rent-free ~~residence~~ to the ..... Chief Justice in Bangalore and making ..... suitable arrangements for his stay in Mysore. .....

Section

File No.

Serial No.

Diary No. of letter replied to..... 2564 C.B.

General and Revenue Secretariat

(. .)

the 19

Date of issue..... 15/12/49 .....

Signed by.....

List of enclosures.....

Copied by..... .....

Examined by.....

No. 6226/[illegible]

To

The Registrar,
High Court, Bangalore.

Sir,

I am directed to acknowledge the receipt of your confidential D.O. letter no. R.O.C. 521/49-50 dated 8th 9th Dec 1949 on the above subject and to say that so far as the Chief Justice's stay in Mysore is concerned he could stay at ~~Mysore in~~ Cross House and that the question regarding providing a rent-free residence to ~~the Chief Justice in~~ Bangalore will be examined.

Yours faithfully
DMR
14.12.49
for Chief Secy to Govt.
~~14.12.49~~ Kly

14.12.49

GOVERNMENT OF MYSORE.

XXXXXXXXXXXX XX XXX XXXXXXXX XXX XXXXXXXXX XX XXXXXX

28th January 1950.

9884/CD

XXXXXXXXXXXXXXXXXXXX

The Registrar,
High Court of Mysore,
BANGALORE.

SUBJECT: Providing rent free residence to the Chief Justice in Bangalore and making suitable arrangements for his stay ~~xxx~~ at Mysore.

In continuation of this office letter No.6226/C.B. dated the 15th December 1949 on the above subject, I am directed to state that th proposal for a rent free residence to the Chief Justice at Bangalore made in your letter No.R.O.C.521/49-50 dated the 9th December 1949 has been considered by Government and that it is regretted that it cannot b accepted.

Yours faithfully,

O/C

For Chief Secretary to Government.

Appendix F G—1]

SUBJECT.....

.....

.....

Section

File No.

Serial No.

Diary No. of letter replied to 2564 C.B.

No. 9880/CB.

To

The Registrar,
High Court of Mysore,
Bangalore.

General and Revenue Secretariat

( )

the *19*

Sir,

Date of issue.....

Subject: providing rent free residence to the Chief Justice in Bangalore and making suitable ~~arrangement~~ arrangement for his stay at Mysore

Signed by.....

On confirmation of this office letter no. 6226/C.B. dated 15.12.49 on the above subject, I am directed to state that the proposal ~~of~~ a rent free residence to the Chief Justice made in your letter No R.O.C.521/49-50 dated 9.12.49 at Bangalore has been considered but it is regretted that ~~your proposal~~ it is unacceptable to Govt. it cannot be yours faithfully accepted.

List of enclosures.....

Copied by.....

Examined by.....

for Chief Secy to Govt
24/11/50.

WD 06818—GPB—25,000—9-7-49

21.